

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

LARRY COLEMAN

PLAINTIFF

VERSUS

CIVIL ACTION NO. 3:18-cv-218-HTW-LRA

KOCH FOODS OF MISSISSIPPI, et al.

DEFENDANTS

ORDER GRANTING JOINT STIPULATION OF DISMISSAL OF FLSA CLAIMS

THIS MATTER is before the court on the Joint Stipulation of dismissal [doc. no.27] filed by the parties, in accordance with Federal Rules of Civil Procedure 41(1)(1)(A)(ii). The parties have stipulated that all of Plaintiff's claims arising under the Fair Labor Standards Act (FLSA) in this action are dismissed with prejudice, with the parties to bear their own respective costs and attorneys' fees. The parties further agree that Plaintiff's claim under Title VII of the Civil Rights Act remains at issue. The Defendant's Motion for Partial Summary Judgment on Plaintiff's FLSA claims [doc. no. 25] whereby it sought to have Plaintiff's FLSA claims dismissed, is hereby made moot and denied as such.

IT IS THEREFORE ORDERED AND ADJUDGED, that the parties' motion for dismissal of Plaintiff's FLSA claims [doc. no. 27] is granted and the FLSA claims are hereby dismissed. Defendant's Motion for Partial Summary Judgment [doc. no. 25] is denied as moot.

SO ORDERED AND ADJUDGED, this the 27th day of June, 2019.

s/ HENRY T. WINGATE
UNITED STATES DISTRICT COURT JUDGE